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TO:Alston Bird

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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.: 10/752,890 Confirmation No.: 4562
Applicant(s): Bossi et al.
Filed: January 7, 2004
Art Unit: 2856
Examiner: Chapman, Jr., John E.
Title: NON-DESTRUCTIVE INSPECTION DEVICE FOR INSPECTING
LIMITED-ACCESS FEATURES OF A STRUCTURE

Docket No.: 038190/269130
Customer No.: 00826

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF JAMES C. KENNEDY UNDER 37 C.F.R. § 1.132

Sir:

I, James C. Kennedy, do hereby declare and say the following:

1. I am one of the named inventors of the subject matter disclosed and claimed in the present patent application, U.S. Patent Application Serial No. 10/752,890 (the "'890 application") filed January 7, 2004. The '890 application also includes Gary E. Georgesqn and Richard H. Bossi as named inventors.

2. I am one of the named inventors of the subject matter disclosed and claimed in U.S. Patent No. 6,722,202 (the "'721 patent") that issued April 4, 2004. The '202 patent also includes Christopher L. Mares and Mark A. Negley as named inventors.

3. I am aware that the '202 patent has been cited against claims currently pending in the '890 application and that a petition for acceptance of a claim for late

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priority under 37 CFR 1.78(a)(3) has been granted. I am further aware that the Advisory Action dated December 12, 2005 has raised an inquiry regarding the respective inventorships of the '202 patent and the '890 application.

4. This Declaration is presented in order to establish that I am the inventor that conceived of the common subject matter that is disclosed and claimed in both the '202 patent and the '890 application.

5. I conceived the non-destructive inspection device having an actuating portion (or driven probe) and at least one inspecting portion (or tracking probe) that includes an inspection sensor and that is magnetically coupled to the actuating portion. I furthermore conceived all the features of the non-destructive inspection device shared in common by the claims of the '202 patent and '890 application.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements or the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 1/25/06Signed: James C. Kennedy

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